

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
AGENCY CASE NO. 2016-AH-00019



DEPARTMENT OF FINANCIAL INSTITUTIONS

COMPLAINANT

vs.

AGREED ORDER

HOMESIDE FINANCIAL, LLC
(LICENSE #: MC327236)

RESPONDENT

* * * * *

1. The Department of Financial Institutions ("DFI") is responsible for regulating and licensing entities engaged in mortgage loan brokering, origination and processing in accordance with the provisions set forth in KRS Chapter 286.8.

2. Homeside Financial, LLC ("Respondent") is authorized to do business in Kentucky as a mortgage company licensee, pursuant to KRS Chapter 286.8, with an office located at 5950 Symphony Woods Road, Suite 312, Columbia, Maryland 21044. The Respondent's Mortgage License Number is: MC327236 (NMLS: 1124061) (ICIE #: 349447).

3. DFI received notice on December 7, 2015 that the Respondent employed and used six (6) unregistered loan processors to process mortgage loans in the Commonwealth of Kentucky, in violation of KRS 286.8-030(1)(c) and KRS 286.8-030(1)(d). The six loan processors were not registered in accordance with KRS 268.8-255.

4. DFI possesses a range of administrative authority in addressing statutory and regulatory violations, including license revocation or denial, suspension or the imposition of civil penalties. See KRS 286.8-046 and KRS 286.8-090.

5. In this case, the DFI assessed a civil penalty against Respondent in the amount of **Six Thousand Dollars (\$6,000.00)** for the above-described violation of KRS 286.8.

6. In the interest of economically and efficiently resolving the violation(s) described herein, and without Respondent admitting or denying the statements of fact and legal conclusions herein, DFI and Respondent agree as follows:

a. Respondent agrees to a civil penalty assessment in the amount of **Six Thousand Dollars (\$6,000.00)** for the violation described herein;

b. Respondent agrees to and shall pay the total civil penalty assessed herein of **Six Thousand Dollars (\$6,000.00)**, which shall be due upon entry of the Agreed Order.

The payment shall be in the form of a certified check or money order made payable to "Kentucky State Treasurer" and mailed to the Department of Financial Institutions, Attn: Non-Depository Division - ORDER, 1025 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601;

c. Respondent shall devote the time and resources necessary to ensure continual and full compliance with all statutory requirements set forth in KRS Chapter 286.8.

7. Respondent waives its right to demand a hearing at which it would be entitled to legal representation, to confront and cross examine witnesses, and to present evidence on its own behalf, or to otherwise appeal or set aside this Agreed Order.

8. Respondent consents to and acknowledges the jurisdiction of DFI over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

9. Respondent agrees to cease and desist from using unlicensed mortgage loan processors in the Commonwealth of Kentucky until such time as the requirements of KRS Chapter 286.8 are met.

10. In consideration of execution of this Agreed Order, Respondent for itself, and for its successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, DFI, Office of Legal Services, and each of their members, agents, and employees in their individual capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this settlement or its administration.

11. By signing below, the parties acknowledge they have read the foregoing Agreed Order, know and fully understand its contents, and that they are authorized to enter into and execute this Agreed Order and legally bind their respective parties.

12. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 2nd day of March, 2016.



CHARLES A. VICE
COMMISSIONER

CONSENTED TO:

This 2nd day of March, 2016. This 23rd day of February, 2016.

Tammy R. Scruggs
Tammy Scruggs, Director
Division of Non-Depository Institutions
Department of Financial Institutions

Daniel P. Macy
Authorized Representative
Homeside Financial, LLC
(License #: MC327236)
Daniel P. Macy, EVP

ACKNOWLEDGEMENT

STATE OF Maryland)
COUNTY OF Montgomery)

Rollin Davidson
Notary Public
Montgomery County
My Commission Expires 06-21-2016

On this the 23rd day of February, 2016, before me
_____, the undersigned, Daniel P. Macy, did
personally appear and acknowledge himself/herself to be the authorized representative
of **Homeside Financial, LLC (License #: MC327236)**, and that he/she, being
authorized to do so, entered into and executed the foregoing instrument for the
purposes therein contained.

My Commission Expires: _____

6/21/2016
R. Davidson
Notary Public

CERTIFICATE OF SERVICE

2 I hereby certify that a copy of the foregoing **Agreed Order** was sent on this the
day of March, 2016, by certified mail, return receipt requested, to:

**Daniel P. Macy
EVP and General Counsel
Homeside Financial, LLC
5950 Symphony Woods Road
Suite 312
Columbia, MD 21044**

And by Hand-Delivery to:

**Hon. Tiffany J. Bowman
1025 Capital Center Drive, Suite 200
Frankfort, KY 40601
Attorney for the Kentucky Department of Financial Institutions**



Kentucky Department of Financial Institutions